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*Via ECF*

March 4, 2025

Hon. John P. Cronan  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: Sheppard v. Sensio, Inc.**  
**Docket No. 1:24-cv-1191**

Dear Judge Cronan:

Pursuant to Your Honor's scheduling order (D.E. 26), the parties respectfully submit this status letter for the Court's consideration. Most fact discovery is complete, except for the following: (i) completing e-discovery from Sensio, (ii) a Fed. R. Civ. P. 30(b)(6) deposition of Sensio's corporate representative(s), (iii) depositions of one of Plaintiff's treating physicians, and (iv) and an individual medical examination ("IME") of Plaintiff. For the reasons set forth below, we respectfully request that the Court extend the discovery period *nunc pro tunc*. This is necessary given the significant e-discovery challenges Defense counsel has inherited and because Defendant's counsel had a family issue requiring his immediate attention (the passing of his father).

Plaintiff and Defense counsel have agreed to further supplement the document production from Sensio. That supplementation is required because prior counsel's vendor was holding a significant amount of potentially relevant e-discovery that it would not turn over absent a seven-figure payment, which would be an extreme burden on Sensio. Thus, in the last month, we have agreed to a new set of search terms, and Sensio is in the process of collecting e-discovery with the assistance of a new vendor and with technology assisted review. And we have agreed to make Sensio's Rule 30(b)(6) witness available for deposition after that production. In addition, we are working with Plaintiff's counsel to schedule an IME of Plaintiff. Plaintiff's counsel agreed to produce his client(s) in New York for that examination once workable dates are selected.

To that end, the parties respectfully propose for the Court's consideration the following updated case management plan *nunc pro tunc*:

Fact discovery end date: April 30, 2025

Completion of IMEs: April 30, 2025

Physician Expert Reports May 30, 2025

Discovery end date: June 30, 2025

We thank the Court for its time and consideration of this matter.

Respectfully submitted,

JOHNSON BECKER PLLC

COLELLA ZEFUTIE LLC

s/ Adam J. Kress

Adam J. Kress (admitted pro hac vice)  
Attorneys for Plaintiff  
Justin Douglas


s/ John J. Zefutie, Jr.

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Anthony J. Laura  
Attorneys for Defendant  
Sensio, Inc.

The Court expresses its condolences to Defendant's counsel. The Court finds that good cause exists for a modification of the discovery deadlines in this case. The parties' discovery deadlines set forth above are adopted. The parties shall file another joint letter in compliance with ¶ 18 of the Case Management Plan by July 7, 2025. The Clerk of Court is respectfully directed to close Docket Number 28.

SO ORDERED.

Date: March 5, 2025  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge